

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

The Applicants appreciate the Examiner's allowance of claims 7, 9 and 15.

By the foregoing amendment, claim 10 has been amended. Claims 1-6, 8, 11, 13 and 14 have previously been canceled without prejudice or disclaimer for filing in a continuation application. Thus, claims 7, 9, 10, 12 and 15 are currently pending in the application, with claims 10 and 12 subject to examination. Claims 7, 9 and 15 have been allowed.

In the Office Action mailed December 16, 2005, claim 10 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,654,883 to Iwata (hereinafter, "Iwata") in view of U.S. Patent No. 6,456,721 to Fukuda (hereinafter, "Fukuda"). It is noted that claim 10 has been amended. To the extent that the rejection remains applicable to the claims currently pending, the Applicant hereby traverses the rejection, as follows.

Claim 10 recites, in part:

A method of using a listening device equipped on a seat of a vehicle and having an actuator for transmitting a voice signal through a human bone when contacting the actuator to a human body, a holder for holding said actuator and an arm for supporting said holder at a distal end thereof and being rotatably supported at the other end thereof on a support member, said support member being provided on a part of said vehicle seat, comprising the steps of:

rotating said arm around two axes at a supporting portion of said support member and retaining said arm at any desired location;

contacting said holder for holding said actuator to the human body part at two points, one at a contact part of said

actuator and the other at another contact part protruded at a spaced apart location from the contact part of said actuator...

Thus, in the claimed method of using a listening device, the listening device is mounted on a part of a vehicle seat having a support member. The listening device has an actuator, a holder for holding the actuator, and an arm for supporting the holder at a distal end thereof. The arm is rotatably supported at its other end by the support member provided on the part of the vehicle seat.

In contrast, Iwata and Fukuda both disclose a listening device mounted on a headband to be worn on a person's head. The listening devices of Iwata and Fukuda are not mounted on a vehicle seat. Thus, the method of using the devices of Iwata and Fukuda are different from that of the claimed invention, in which the device is mounted on a vehicle seat, and the arm is rotated around two axes at a supporting portion of said support member and retained at any desired location.

The Applicants submit that none of the cited art of record, nor combination thereof, discloses or suggests at least the combination of features of a method of using a listening device equipped on a seat of a vehicle and having an actuator for transmitting a voice signal through a human bone when contacting the actuator to a human body, a holder for holding said actuator and an arm for supporting said holder at a distal end thereof and being rotatably supported at the other end thereof on a support member, said support member being provided on a part of said vehicle seat, comprising the steps of: rotating said arm around two axes at a supporting portion of said support member and retaining said arm at any desired location; contacting said holder for holding said actuator to the human body part at two points, one at a contact part of said

actuator and the other at another contact part protruded at a spaced apart location from the contact part of said actuator, as recited in claim 10, as amended.

For at least this reason, the Applicants submit that claim 10 is allowable over the cited art of record.

As claim 10 is allowable, the Applicants submit that claim 12, which depends from allowable claim 10, is likewise allowable over the cited art of record.

Conclusion

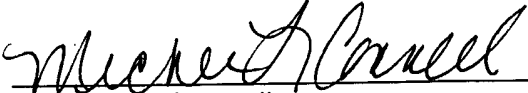
For all of the above reasons, it is respectfully submitted that claims 10 and 12 are in condition for allowance and a Notice of Allowability indicating the same together with claims 7, 9 and 15, is earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is invited to contact the undersigned representative at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicant hereby petitions for an appropriate extension of time.

The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 referencing client matter number 107156-00211.

Respectfully submitted,
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